

JOURNAL OF THE SENATE

EIGHTY-NINTH SESSION

TWENTIETH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Thursday, February 13, 2014

The Senate convened at 1:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Fr. Joe Forcelle, followed by the Pledge of Allegiance led by Senate page Sidney Carey.

Roll Call: All members present except Sens. Curd and Lucas who were excused.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the nineteenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 80 and finds the same correctly enrolled.

Respectfully submitted,
Corey Brown, Chair

Also MR. PRESIDENT:

The Committee on Appropriations respectfully reports that it has had under consideration SB 18, 37, and 124 and returns the same with the recommendation that said bills do pass.

Also MR. PRESIDENT:

The Committee on Appropriations respectfully reports that it has had under consideration SB 19 and returns the same with the recommendation that said bill be amended as follows:

19fa

On page 3, after line 9 of the printed bill, insert:

"Section 5. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

19fta

On page 1, line 2, of the printed bill, delete "and to" and insert ", to".

On page 1, line 4, after "University" insert ", and to declare an emergency".

And that as so amended said bill do pass.

Also MR. PRESIDENT:

The Committee on Appropriations respectfully reports that it has had under consideration SB 90 and returns the same with the recommendation that said bill be amended as follows:

90ma

1 On the printed bill, delete everything after the enacting clause and insert:

2 "Section 1. That § 13-36-4 be amended to read as follows:

3 13-36-4. The school board of a public school, approved and accredited by the secretary of
4 the Department of Education, may delegate, on a year to year basis, the control, supervision, and
5 regulation of any high school interscholastic activities to any association which is voluntary and
6 nonprofit if ~~membership~~:

7 (1) Membership in such association is open to all high schools approved and accredited
8 pursuant to this section, including any school that allows participation by students
9 receiving alternative instruction as set forth in § 13-27-3, pursuant to the provisions
10 of this title, ~~and if the~~:

11 (2) The constitution, bylaws, and rules of the association are subject to ratification by the
12 school boards of the member public school districts and the governing boards of the
13 member nonpublic schools and include a provision for a proper review procedure and
14 review board;

15 (3) The report of any audit required by § 13-26-5 is made public on the association's
16 website as well as the Department of Legislative Audit's website;

17 (4) Any such association complies with the provisions of chapter 1-25 and chapter 1-27;
18 and

19 (5) Any such association shall report to the Government Operations and Audit
20 Committee annually, or at the call of the chair.

21 The governing body of a nonpublic school, approved and accredited by the secretary of the
22 Department of Education, or the North Central Association Commission on Accreditation and
23 School Improvement (NCA CASI), or the Association of Christian Schools International
24 (ACSI), or the Association of Classical and Christian Schools (ACCS), or Christian Schools
25 International (CSI), or National Lutheran School Accreditation (NLSA), or Wisconsin
26 Evangelical Lutheran Synod School Accreditation, may also delegate, on a year to year basis,
27 the control, supervision, and regulation of any high school interscholastic activities to any
28 association which is voluntary and nonprofit if membership in such association is open to all
29 high schools approved and accredited pursuant to this section, including any school that allows
30 participation by students receiving alternative instruction as set forth in § 13-27-3, pursuant to
31 the provisions of this title, and if the constitution, bylaws, and rules of the association are
32 subject to ratification by the school boards of the member public school districts and the
33 governing boards of the member nonpublic schools and include a provision for a proper review
34 procedure and review board.

35 Any association which complies with this section may exercise the control, supervision,
36 and regulation of interscholastic activities, including interscholastic athletic events of member
37 schools. Such association may promulgate reasonable uniform rules, to make decisions and to
38 provide and enforce reasonable penalties for the violation of such rules."

39 And that as so amended said bill do pass.

1 Also MR. PRESIDENT:

2 The Committee on Appropriations respectfully reports that it has had under consideration
3 SB 159 which was deferred to the 41st Legislative Day.

4 Respectfully submitted,
5 Deb Peters, Chair

6 Also MR. PRESIDENT:

7 The Committee on Judiciary respectfully reports that it has had under consideration
8 HB 1178 and returns the same with the recommendation that said bill do pass.

9 Also MR. PRESIDENT:

10 The Committee on Judiciary respectfully reports that it has had under consideration SB 77
11 and returns the same with the recommendation that said bill do pass and be placed on the
12 consent calendar.

13 Also MR. PRESIDENT:

14 The Committee on Judiciary respectfully reports that it has had under consideration SB 81
15 and returns the same with the recommendation that said bill be amended as follows:

16 81ra

17 On page 2, line 5, of the printed bill, delete "are" and insert "have not been".

18 On page 2, line 5, after "and" insert "which are not".

19 On page 2, line 5, after "inmates" insert "except".

20 And that as so amended said bill do pass.

21 Respectfully submitted,
22 Craig Tieszen, Chair

23 Also MR. PRESIDENT:

24 The Committee on Education respectfully reports that it has had under consideration
25 HB 1019 and returns the same with the recommendation that said bill do pass.

26 Respectfully submitted,
27 Deb Soholt, Chair

1 Also MR. PRESIDENT:

2 The Committee on Agriculture and Natural Resources respectfully reports that it has had
3 under consideration HB 1081 and returns the same with the recommendation that said bill do
4 pass.

5 Also MR. PRESIDENT:

6 The Committee on Agriculture and Natural Resources respectfully reports that it has had
7 under consideration the nomination of John L. Cooper of Hughes County, South Dakota, to the
8 Game, Fish and Parks Commission and returns the same with the recommendation that the
9 Senate advise and consent to the confirmation of said appointment and be placed on consent
10 calendar.

11 Also MR. PRESIDENT:

12 The Committee on Agriculture and Natural Resources respectfully reports that it has had
13 under consideration the nomination of Herman P. Dennert of Brown County, Columbia, South
14 Dakota, to the Game, Fish and Parks Commission and returns the same with the
15 recommendation that the Senate advise and consent to the confirmation of said appointment and
16 be placed on consent calendar.

17 Also MR. PRESIDENT:

18 The Committee on Agriculture and Natural Resources respectfully reports that it has had
19 under consideration the nomination of William S. Phillips of Meade County, New Underwood,
20 South Dakota, to the Game, Fish and Parks Commission and returns the same with the
21 recommendation that the Senate advise and consent to the confirmation of said appointment and
22 be placed on consent calendar.

23 Respectfully submitted,
24 Shantel Krebs, Chair

25 Also MR. PRESIDENT:

26 The Committee on Commerce and Energy respectfully reports that it has had under
27 consideration HB 1084 and returns the same with the recommendation that said bill do pass and
28 be placed on the consent calendar.

1 Also MR. PRESIDENT:

2 The Committee on Commerce and Energy respectfully reports that it has had under
3 consideration SB 180 and returns the same with the recommendation that said bill be amended
4 as follows:

5 180fa

6 On page 1, line 5, of the printed bill, after "establishments" insert "including the number
7 of machines, not to exceed fifteen machines per establishment,".

8 On page 1, line 6, overstrike "No more than ten".

9 On page 1, delete line 7, and insert "~~video lottery machines may be placed in any licensed~~
10 ~~establishment. If more than ten~~".

11 And that as so amended said bill do pass.

12 Also MR. PRESIDENT:

13 The Committee on Commerce and Energy respectfully reports that it has had under
14 consideration SB 171 and returns the same with the recommendation that said bill be amended
15 as follows:

16 171ta

17 On page 2, line 1, of the printed bill, delete "in" and insert "to".

18 And that as so amended said bill do pass and be placed on the consent calendar.

19 Also MR. PRESIDENT:

20 The Committee on Commerce and Energy respectfully reports that it has had under
21 consideration SB 183 and returns the same with the recommendation that said bill be amended
22 as follows:

23 183ta

24 On page 3, line 8, of the printed bill, delete "either".

25 On page 3, line 8, delete "or the earnings fund".

26 And that as so amended said bill do pass and be placed on the consent calendar.

1 Also MR. PRESIDENT:

2 The Committee on Commerce and Energy respectfully reports that it has had under
3 consideration SB 186 and returns the same with the recommendation that said bill be amended
4 as follows:

5 186ta

6 On page 2, line 8, of the printed bill, overstrike "an affidavit" and insert "a vision
7 statement".

8 And that as so amended said bill do pass and be placed on the consent calendar.

9 Respectfully submitted,
10 Ried S. Holien, Chair

11 **MESSAGES FROM THE HOUSE**

12 MR. PRESIDENT:

13 I have the honor to return herewith SB 80 which has passed the House without change.

14 Also MR. PRESIDENT:

15 I have the honor to transmit herewith HCR 1016 which has been adopted by the House and
16 your concurrence is respectfully requested.

17 Also MR. PRESIDENT:

18 I have the honor to transmit herewith HB 1135, 1156, 1163, 1169, 1177, 1192, 1198, and
19 1218 which have passed the House and your favorable consideration is respectfully requested.

20 Respectfully,
21 Arlene Kvislen, Chief Clerk

22 **MOTIONS AND RESOLUTIONS**

23 SCR 4 Introduced by: Senators Ewing, Begalka, Bradford, Brown, Buhl O'Donnell,
24 Frerichs, Heineman (Phyllis), Holien, Hunhoff (Jean), Jones (Chuck), Jones (Tom), Kirkeby,
25 Lucas, Monroe, Novstrup (Al), Omdahl, Otten (Ernie), Peters, Rempelberg, Rave, Rhoden,
26 Soholt, Solano, Sutton, Tidemann, Tieszen, Van Gerpen, Vehle, Welke, and White and

Representatives Romkema, Cammack, Campbell, Cronin, Gibson, Haggar (Jenna), Hawks, Hoffman, Hunhoff (Bernie), Johns, Kirschman, Kopp, Peterson, Rounds, Solum, Stevens, and Wick

A CONCURRENT RESOLUTION, Celebrating and honoring the Historic Homestake Opera House in Lead on the occasion of its centennial on August 31, 2014.

WHEREAS, the Homestake Opera House was constructed in 1914 by the Homestake Mining Company as a gift to its employees and to the citizens of Lead; and

WHEREAS, the Homestake Opera House was gifted to the City of Lead in 1972 and was devastated by a fire in 1984; and

WHEREAS, since 1984, hundreds of volunteers have worked diligently to restore grandeur and beauty to the Homestake Opera House; and

WHEREAS, the Historic Homestake Opera House Society was founded in 1998, and is dedicated to the restoration, use, and preservation for future generations of the Opera House based upon the steadfast belief that the once-thriving creative center is one cornerstone for the preservation, renewal, and development of Lead and the Black Hills community; and

WHEREAS, the power of the arts to move people has built bridges and enriched lives, bringing individuals and communities together through the resonance of creative expression; and

WHEREAS, as a people, we have an unlimited capacity for self-expression and personal interpretation and while we may not always agree with what we see or hear, it is our open-mindedness that commends the artistic struggle behind the creation and our curiosity that pursues its vision; and

WHEREAS, the Historic Homestake Opera House has significantly contributed to the quality of life in the City of Lead, the County of Lawrence, and the State of South Dakota, by providing outstanding arts programming and entertainment; and

WHEREAS, the Historic Homestake Opera House will turn one hundred years old on August 31, 2014:

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-Ninth Legislature of the State of South Dakota, the House of Representatives concurring therein, that we celebrate and honor the Historic Homestake Opera House in Lead on the occasion of its centennial on August 31, 2014.

Was read the first time, the President waived the referral to committee, and placed SCR 4 on the calendar of Tuesday, February 18, the 21st legislative day.

1 HCR 1016: A CONCURRENT RESOLUTION, Urging the federal government to enforce
2 United States immigration laws and not grant amnesty to those who have entered the United
3 States illegally.

4 Was read the first time, the President waived the referral to committee, and placed
5 HCR 1016 on the calendar of Tuesday, February 18, the 21st legislative day.

6 HCR 1014: A CONCURRENT RESOLUTION, Demanding the end of federal deficit
7 spending, the repayment of national debt, and the beginning of balanced budgets and sound U.S.
8 fiscal policy.

9 Was read the second time.

10 Sen. Omdahl moved that the Senate do concur in HCR 1014 as found on page 312 of the
11 House Journal.

12 The question being on Sen. Omdahl's motion that HCR 1014 be concurred in.

13 And the roll being called:

14 Yeas 31, Nays 2, Excused 2, Absent 0

15 Yeas:

16 Begalka; Brown; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones
17 (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher; Monroe; Novstrup (Al); Omdahl;
18 Otten (Ernie); Peters; Rempelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen;
19 Van Gerpen; Vehle; Welke; White

20 Nays:

21 Bradford; Buhl O'Donnell

22 Excused:

23 Curd; Lucas

24 So the motion having received an affirmative vote of a majority of the members-elect, the
25 President declared the motion carried and HCR 1014 was concurred in.

26 CONSIDERATION OF REPORTS OF COMMITTEES

27 Sen. Rave moved that the reports of the Standing Committees on

28 Local Government on SB 173 as found on page 304 of the Senate Journal; also

29 Health and Human Services on SB 172 as found on page 305 of the Senate Journal; also

1 Taxation on SB 162 as found on page 306 of the Senate Journal be adopted.

2 Which motion prevailed.

3 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

4 HB 1135: FOR AN ACT ENTITLED, An Act to revise certain exceptions to special
5 assessments levied upon real property.

6 Was read the first time and referred to the Committee on Taxation.

7 HB 1156: FOR AN ACT ENTITLED, An Act to allow the transmission of electronic
8 documents related to insurance policies.

9 Was read the first time and referred to the Committee on Commerce and Energy.

10 HB 1163: FOR AN ACT ENTITLED, An Act to authorize farm mutual insurers to invest
11 funds in certain stocks and market funds.

12 Was read the first time and referred to the Committee on Commerce and Energy.

13 HB 1169: FOR AN ACT ENTITLED, An Act to protect certain homestead exemption
14 interests during sale of homestead or separation of owners.

15 Was read the first time and referred to the Committee on Judiciary.

16 HB 1177: FOR AN ACT ENTITLED, An Act to restrict the regulation by local
17 governments of distracted or inattentive driving, to prohibit the use of certain handheld
18 electronic wireless communication devices, and to provide a penalty therefor.

19 Was read the first time.

20 HB 1192: FOR AN ACT ENTITLED, An Act to designate the Black Hills Mining
21 Museum in Lead as the official mining museum of South Dakota.

22 Was read the first time and referred to the Committee on Local Government.

23 HB 1198: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
24 administration of medical treatment for individuals with mental illness.

1 Was read the first time and referred to the Committee on Health and Human Services.

2 HB 1218: FOR AN ACT ENTITLED, An Act to authorize school districts to use certain
3 tax levies for pension and health insurance purposes.

4 Was read the first time and referred to the Committee on Taxation.

5 **SECOND READING OF CONSENT CALENDAR ITEMS**

6 SB 88: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
7 provisions regarding traction engines operated over bridges.

8 Was read the second time.

9 The question being "Shall SB 88 pass?"

10 And the roll being called:

11 Yeas 33, Nays 0, Excused 2, Absent 0

12 Yeas:

13 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
14 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
15 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
16 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

17 Excused:

18 Curd; Lucas

19 So the bill having received an affirmative vote of a majority of the members-elect, the
20 President declared the bill passed and the title was agreed to.

21 HB 1056: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the
22 taxation, the licensing, and the regulation of motor vehicles.

23 Was read the second time.

24 The question being "Shall HB 1056 pass?"

25 And the roll being called:

26 Yeas 33, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
4 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
5 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Curd; Lucas

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 HB 1059: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
11 exemption of mass transit motor vehicles from licensing and registration fees and the motor
12 vehicle excise tax.

13 Was read the second time.

14 The question being "Shall HB 1059 pass?"

15 And the roll being called:

16 Yeas 33, Nays 0, Excused 2, Absent 0

17 Yeas:

18 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
19 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
20 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
21 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

22 Excused:

23 Curd; Lucas

24 So the bill having received an affirmative vote of a majority of the members-elect, the
25 President declared the bill passed and the title was agreed to.

26 HB 1060: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
27 military speciality plates.

28 Was read the second time.

29 The question being "Shall HB 1060 pass as amended?"

30 And the roll being called:

31 Yeas 33, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
4 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
5 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Curd; Lucas

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 HB 1092: FOR AN ACT ENTITLED, An Act to require that crematories be under the
11 direction of licensed funeral establishments and funeral directors.

12 Was read the second time.

13 The question being "Shall HB 1092 pass as amended?"

14 And the roll being called:

15 Yeas 33, Nays 0, Excused 2, Absent 0

16 Yeas:

17 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
18 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
19 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
20 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

21 Excused:

22 Curd; Lucas

23 So the bill having received an affirmative vote of a majority of the members-elect, the
24 President declared the bill passed and the title was agreed to.

25 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

26 Sen. Rave moved that SB 116 be deferred to Tuesday, February 18, the 21st legislative day.

27 Which motion prevailed.

28 SB 46: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding animal
29 welfare and to provide a felony penalty for cruelty to animals.

1 Was read the second time.

2 The question being "Shall SB 46 pass as amended?"

3 And the roll being called:

4 Yeas 33, Nays 0, Excused 2, Absent 0

5 Yeas:

6 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
7 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
8 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
9 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

10 Excused:

11 Curd; Lucas

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 President declared the bill passed and the title was agreed to.

14 SB 143: FOR AN ACT ENTITLED, An Act to provide for a civil remedy for a bad faith
15 assertion of patent infringement.

16 Was read the second time.

17 143rc

18 Sen. Krebs moved that SB 143 be amended as follows:

19 On page 5, line 3, of the Senate Judiciary Committee engrossed bill, delete "an unfair or"
20 and insert "a".

21 On page 5, line 3, after "trade" insert "act or".

22 Which motion prevailed.

23 The question being "Shall SB 143 pass as amended?"

24 And the roll being called:

25 Yeas 33, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
4 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
5 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Curd; Lucas

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 SB 85: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
11 confidential criminal justice information.

12 Was read the second time.

13 The question being "Shall SB 85 pass as amended?"

14 And the roll being called:

15 Yeas 33, Nays 0, Excused 2, Absent 0

16 Yeas:

17 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
18 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
19 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
20 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

21 Excused:

22 Curd; Lucas

23 So the bill having received an affirmative vote of a majority of the members-elect, the
24 President declared the bill passed and the title was agreed to.

25 SB 104: FOR AN ACT ENTITLED, An Act to authorize the use of night vision equipment
26 for hunting under certain conditions.

27 Was read the second time.

28 The question being "Shall SB 104 pass as amended?"

29 And the roll being called:

30 Yeas 33, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher;
4 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
5 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Curd; Lucas

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed.

10 The question being on the title.

11 104ttb

12 Sen. Brown moved that the title to SB 104 be amended as follows:

13 On page 1, line 1, of the Senate Agriculture and Natural Resources Committee engrossed
14 bill, delete "hunting of coyotes using" and insert "use of".

15 On page 1, line 2, after "equipment" insert "for hunting".

16 Which motion prevailed and the title was so amended.

17 Sen. Rave moved that HB 1061, 1029, 1012, 1015, 1045, 1058, 1079, 1014, 1110, and
18 1069 be deferred to Tuesday, February 18, the 21st legislative day.

19 Which motion prevailed.

20 **SIGNING OF BILLS**

21 The President publicly read the title to

22 SB 80: FOR AN ACT ENTITLED, An Act to provide a credit to homebuilt aircraft for
23 sales and use taxes when paying the aircraft registration tax and to make a reimbursement to the
24 aeronautics fund for the amount of the credit granted.

25 And signed the same in the presence of the Senate.

COMMEMORATIONS

SC 20 Introduced by: Senators Lederman, Begalka, Brown, Ewing, Heineman (Phyllis), Hunhoff (Jean), Jones (Chuck), Novstrup (Al), Omdahl, Otten (Ernie), Rave, Rhoden, Soholt, Solano, Tieszen, Vehle, and White and Representatives Bolin and Anderson

A LEGISLATIVE COMMEMORATION, Honoring the Dakota Valley High School Dance Team on winning the 2013 Class A Dance Grand State Title for the fourth year in a row.

WHEREAS, the members of the Dakota Valley Dance Team, Amanda Roeber, Allie Oakley, Gwyneth Fisher, Sylvia Rosenkrans, Emilee Benson, Victoria Parks, Katelyn Rice, Josi Minor, Haley Hoffman, and Madie Hixson, secured the team's fourth state title in four years; and

WHEREAS, Coach Melissa Strong's leadership, creativity, and encouragement has inspired the team members to excel in the sport for the past four years; and

WHEREAS, the team's support for each other, dedication to the sport, and long hours of practice have allowed the team to stand out as the best dance team in the state:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the State of South Dakota, that the Dakota Valley Dance Team be recognized and congratulated for bringing the Class A Dance Grand Championship to Dakota Valley for the fourth consecutive year.

SC 21 Introduced by: Senators Welke, Bradford, Buhl O'Donnell, Jones (Tom), Novstrup (Al), and Sutton and Representatives Tulson, Cronin, Feickert, Greenfield, Hoffman, Kaiser, Novstrup (David), and Wismer

A LEGISLATIVE COMMEMORATION, Honoring and commending Dial-A-Move Relocation Services of Aberdeen, South Dakota, for receiving the 2013 Enterprise Award from the American Moving and Storage Association.

WHEREAS, the Enterprise Award, which is given to an outstanding small, independent mover, recognizes outstanding performance; and

WHEREAS, the American Moving and Storage Association is a nonprofit trade association established in 1936 with a membership of over four thousand professional movers; and

WHEREAS, Dial-A-Move Relocation Services opened in 2000 and is operated by Dan and Barry Wood, and currently employs nine workers dedicated to outstanding performance and attention to detail; and

WHEREAS, Dial-A-Move Relocation Services was recognized at the 95th annual American Moving and Storage Association Education Conference and Expo in San Diego, California on February 9-12, 2014:

5 Sen. Novstrup (Al) moved that the Senate do now adjourn, which motion prevailed and at
6 2:15 p.m. the Senate adjourned.

7 Jeannette Schipper, Secretary